



Engineering Department

City of Beverly

Frank J. Killilea, Jr., P.E.

Director

Gerald R. Marsella

Assistant City Engineer

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DRAINAGE ALTERATION PERMIT

THIS PERMIT IS ISSUED BY THE ENGINEERING DEPARTMENT

Date: _____, 20__

Date Received: _____, 20__

According to section 18-54, Drainage Alteration Permits, of the Revised Ordinances of the City of Beverly, it shall be unlawful for any person or other legal owner of real property in the city to disturb the existing grade of land by more than two feet without first obtaining approval from the City Engineer.

Name of owner: _____

Address of owner: _____

Telephone number (H): _____ (W): _____

Name of applicant: _____
(if different from owner)

Address of applicant: _____

Telephone number (H): _____ (W): _____

Address of Affected Property: _____

Assessors' Map #: _____ Lot #: _____

Plan Entitled: _____

Stamped by: _____

Fee: _____

Are all existing utilities shown on stamped plan? If no, explain.

Owner's Signature _____

Permit Approved ()

Permit Denied ()

Director of Engineering



City of Beverly

In the year two thousand and

Three

An Ordinance

Amending an ordinance entitled "Drainage Alteration Permit"

Be it ordained by the city council of the city of Beverly as follows:

That Chapter 18, Section 54 of the Revised Ordinances of the City of Beverly, 1989, be, and the same is hereby amended as follows:

ADD: Chapter 18 of the Revised Ordinances of the City of Beverly is hereby amended by adding the following Section 18-54:

Sec. 18-54. Drainage Alteration Permits

(1) It shall be unlawful for any person or other legal owner of real property in the city to disturb the existing grade of land by more than two feet without first obtaining the approval of the following:

- a. The city engineer, and where applicable
- b. The conservation commission if the property is subject to the Wetlands Protection Act or the City's Wetland Protection Ordinance and the Rules and Regulations adopted pursuant to that Ordinance; and
- c. The city planning board if the property is being altered pursuant to a subdivision which is subject to the Subdivision Control Law.

(2) Conditions for Issuance

A permit required by this article will be issued by the city engineer to the owner or the owner's duly authorized agent after the city engineer has reviewed a plan to be submitted showing the nature of the grade change proposed, but only on such conditions, which shall be determined by the city engineer, that will ensure that the proposed grade changes will not adversely affect existing drainage and groundwater conditions, which would affect the public health, safety and welfare of any public way

or adjoining real estate. The city engineer shall adopt rules and regulations to implement this article subject to city council approval. Any denial of any application properly made under this article may be appealed to the board of appeal.

(3) Fee

A permit fee of \$50.00 shall be paid at the time that an application for a drainage permit is filed with the city engineer. The city engineer shall act to grant, with or without conditions, or deny a permit application within 14 days of its filing.

(4) Liability for damage to private property

Under this article, liability for damage to private property abutting the construction and caused by the permittee, his agents or servants shall be borne solely by the permittee performing the work.

(5) Penalty

Any permittee who violates or refuses to comply with any section of this article shall forfeit any pay to the use of the city a sum of not less than \$100.00 or more than \$1,000.00 for each violation. Each day or portion of a day that any violation is allowed to continue shall constitute a separate violation of this article.

This ordinance to take effect upon passage according to City Charter

First Passage: November 17, 2003
Final Passage: December 1, 2003

Legal Notice

CITY OF BEVERLY

In the year of our Lord one thousand nine hundred and twenty three, the City of Beverly, Massachusetts, do hereby certify that the following is a true and correct copy of the City Charter as amended by the City Council of the City of Beverly, as follows:

Chapter 18-54: Drainage Alteration Permits

(1) It shall be unlawful for any person or the legal owner of real property in the city to disturb the existing grade of land by more than two feet without first obtaining the approval of the following:

a. The city engineer and where applicable

b. The city planning board

c. The city planning board, the property is being altered pursuant to a subdivision which is subject to the Subdivision Control Law.

(2) Conditions for issuance of a permit required by this article will be as follows:

a. A permit fee of \$50.00 shall be paid at the time that an application for a drainage permit is filed with the city engineer. The city engineer shall act to grant, with or without conditions, or deny a permit application within 14 days of its filing.

b. The city engineer shall not be liable for damage to private property abutting the construction of a drainage permit.

c. The city engineer shall not be liable for damage to private property abutting the construction of a drainage permit.

d. The city engineer shall not be liable for damage to private property abutting the construction of a drainage permit.

(3) Fee

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The ordinance to take effect upon passage according to City Charter.

First Passage: November 17, 2003
Final Passage: December 1, 2003

Per Order City Council
Attest: Frances A. Macdonald, CMC
City Clerk

(11/2/03)

No. 328

An Ordinance

Enacted Dec 18, 1947

relating to

DRAINAGE ALTERATION PERMIT

IN CITY COUNCIL

CITY OF BEVERLY
Presented to the Mayor for Approval

12/18/47

Samuel D. Woodruff City Clerk

proved

Samuel D. Woodruff Mayor

Samuel D. Woodruff

Clerk

Entered Page 1447 Vol. 109